

## **II. REMARKS**

Claims 26 through 28 have been rejected as being unpatentable over Hopkins, et al. U.S. Patent 4,756,533 (Hopkins) in view of Pritchard U.S. Patent 1,217,632 (Pritchard). Comments on these two patents relative to the present invention are set forth below:

### **Hopkins:**

Hopkins discloses a multiple jig-saw puzzle promotional lottery game, which combines both skill and chance. The puzzle has identical jig-saw patterns and may be played by the contestants simultaneously. Puzzle pieces for all of the puzzles are received from a common, unsegregated pool. The contestant is challenged to separate the puzzle pieces using only visual clues on their faces, to place the puzzle pieces in the correct places, and to collect all the pieces needed to solve one or more puzzles. The game may be combined with other promotional games, such as instant win games and sweepstake games. Hopkins encourages on-going contestant participation, making it useful for promotional activities.

Each contestant receives a game board that contains two or more puzzle boards. Each puzzle board contains a picture of a prize to be won in an outline of positions of puzzle pieces, which complete the puzzle. From time to time the contestant will receive game cards, which contain one more puzzle pieces to be placed on one of the puzzle boards to solve a

portion of the puzzle by being placed within an outline of a corresponding position. The puzzle pieces, which contain a picture of a prize to be won, are not segregated in any manner, which would clue the contestant as to which puzzle board the piece should be placed on.

Contestants are challenged not only to complete correctly a jig-saw puzzle, but also must first determine on which puzzle board the piece should be placed. The puzzle boards have identically shaped jig-saw patterns, and so each puzzle piece is shaped to fit into an identical position in the jig-saw pattern of each puzzle board and the patterns may be shifted 90 degrees from the orientation of the previous puzzle. Thus the contestant's task is to use only the visual indication on the face of each puzzle piece to determine the correct position.

The awards or prizes are controlled by having only limited production of one particular puzzle piece corresponding to each puzzle board. If more than one prize is contemplated, then additional puzzle pieces can be created. All other puzzle pieces can be printed and distributed in large quantities enticing all of the contestants to continue playing until their puzzle boards are nearly complete.

Thus the Hopkins reference primarily relates to a puzzle lottery game using multiple jig-saw puzzles and there are no words utilized in the puzzle but only pictures.

Pritchard:

Pritchard discloses a picture puzzle which utilizes a number of stamps arranged in a sheet form and from which the individual stamps can be separated. These stamps are chosen to form a picture, usually by combining nine of the stamps and gluing them to an appropriate page. The page may have a title at the top of the page, such as "Jack and Jill".

The various stamps are primarily illustrations except, in some instances, a few words may be used. Representative of the solved puzzle is Figure 5, where there are nine stamps located on a sheet for Little Jack Horner which it is mostly drawn to an illustration with each stamp an illustration by itself or a partial illustration. In this particular example, words are used on three of the stamps. Even after all the stamps are used, the resulting illustration has a text only 28 words in length.

It is also stated that the picture puzzle is not only entertaining and instructional for children, but is also applicable for an advertising medium as the pictures to be assembled can display the names of advertisers, their articles of manufacture, etc.

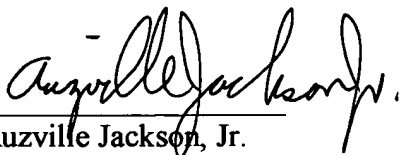
Thus, Pritchard shows a picture puzzle made up of pictures although a few of the stamps used in making up the pictures may include a few short verses.

**III. CONCLUSION**

Based on the above analysis and remarks, Applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

Should the Examiner require any further information by Applicant or Applicant's undersigned representative regarding this response, the Examiner is invited to telephone the undersigned at the number set forth below.

Respectfully submitted,

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